



IAP15 Rec'd PCT/PTO 01 AUG 2006 DAG
PCT

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
9905/23

First Named inventor: Bernard Diem

Art Unit: TBA

Application Number: 10/500,196

Examiner: TBA

Filed: June 24, 2004

I.A. Filing Date: December 17, 2002

Title: METHOD AND ZONE FOR SEALING BETWEEN TWO MICROSTRUCTURE SUBSTRATES

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
8 AUG 2006
Legal Staff
International Division

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.
☒ Other than small entity - fee \$1500 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Communication and Response to Notification of Missing Requirements; (identify the type of reply):

- ☐ has been filed previously filed on _____.
☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been filed previously filed on _____.
☐ is enclosed herewith.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 2005, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

July 28, 2006
Date

Jasper W. Dockrey
Typed or Printed Name

33,868
Registration Number, if applicable

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

Enclosure ☒ Communication; Copy of Notification of Abandonment; Notification of Missing Requirements; Response to Notification of Missing Requirements; Declaration and Power of Attorney; Assignment Recordal; Assignment; Check for \$1500 (Petition for Revival); Check for \$130 (Missing Requirements); Check for \$40 (Assignment)

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unavoidable delay

☐

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown to the United States Patent and Trademark Office at (571) 272-8300.

July 28, 2006
Date

Signature

Jasper W. Dockrey, Reg. No. 33,868
Typed or printed name of person signing certificate

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on July 28, 2006

Date of Deposit

Jasper W. Dockrey, Reg. No. 3,868

Name of applicant, assignee or
Registered Representative

Jasper W. Dockrey
Signature
July 28, 2006
Date of Signature

Case No. 9905/23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernard Diem et al.

Serial No.: 10/500,196

Attention: Manager,
Application Branch

Filed: June 24, 2004

I.A. Filing Date: December 17, 2002

For: METHOD AND ZONE
FOR SEALING
BETWEEN TWO
MICROSTRUCTURE
SUBSTRATES

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

Dear Sir:

In accordance with the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office dated August 12, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

- ☒ Fully executed Declaration and Power of Attorney for Patent Application for the above-referenced patent application.
- ☒ Applicant:
- ☐ claims small entity status. See 37 CFR 1.27.
- ☒ is other than small entity.
- ☒ Checks totaling \$130 for:
- ☐ Filing Fee of \$____.
- ☒ Surcharge of \$130.
- ☐ Additional Claim Fees of \$____.
- ☐ Search Fee of \$____.
- ☐ Examination Fee of \$____.
- ☐ Application Size Fee (for each additional 50 sheets that exceeds 100 sheets, including specification and drawings) of \$____.
- ☐ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- ☒ Other: Assignment Recordal; Assignment; Check for \$40.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

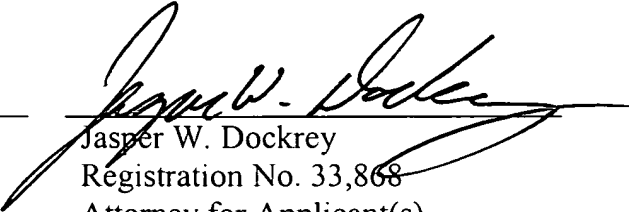
08/04/2006 ATRAN1 00000126 10500196

02 FC:1617

130.00 0P

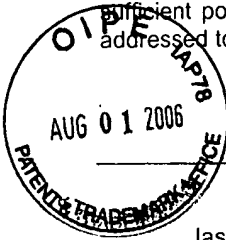
Respectfully submitted,

Dated: July 28, 2006


Jasper W. Dockrey
Registration No. 33,868
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
on July 28, 2006

Date of Deposit

Jasper W. Dockrey, Reg. No. 33,868

Name of applicant, assignee or
Registered Representative

Jasper W. Dockrey
Signature
July 28, 2006
Date of Signature

Our Case No. 9905/23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernard Diem et al.

Serial No. 10/500,196

Filing Date: June 24, 2004

I.A. Filing Date: December 17, 2002

For METHOD AND ZONE FOR
SEALING BETWEEN TWO
MICROSTRUCTURE
SUBSTRATES

)
)
) Examiner: TBA

) Group Art Unit No.: TBA
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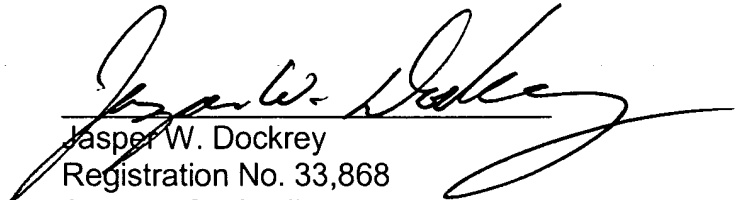
COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Abandonment, dated July 13, 2006 (copy attached), the Applicants' attorney hereby asserts that the Notice of Missing Requirements was not received by the attorney for Applicants. Applicants' attorney first became aware of the

Notice of Missing Requirements upon receipt of the Notice of Abandonment.

Respectfully submitted,


Jasper W. Dockrey
Registration No. 33,868
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

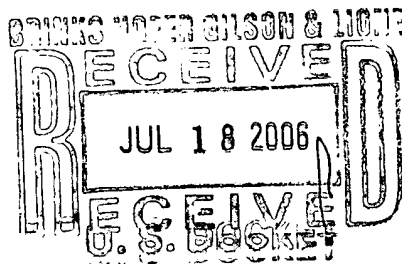
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,196	Bernard Diem	9905/23

INTERNATIONAL APPLICATION NO.

PCT/FR02/04383

I.A. FILING DATE	PRIORITY DATE
12/17/2002	12/28/2001

Brinks Hofer Gilson & Lione
 Po Box 10395
 Chicago, IL 60610



CONFIRMATION NO. 9203

371
 ABANDONMENT/TERMINATION
 LETTER



OC000000019583361

Date Mailed: 07/13/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 08/12/2004 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,196	Bernard Diem	9905/23
INTERNATIONAL APPLICATION NO.		
PCT/FR02/04383		
I.A. FILING DATE	PRIORITY DATE	
12/17/2002	12/28/2001	

Brinks Hofer Gilson & Lione
Po Box 10395
Chicago, IL 60610

CONFIRMATION NO. 9203
371 FORMALITIES LETTER

OC000000013512860

Date Mailed: 08/12/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/24/2004
- Copy of the International Search Report filed on 06/24/2004
- Copy of IPE Report filed on 06/24/2004
- Preliminary Amendments filed on 06/24/2004
- Information Disclosure Statements filed on 06/24/2004
- Request for Immediate Examination filed on 06/24/2004
- U.S. Basic National Fees filed on 06/24/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

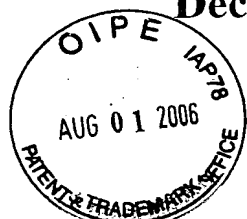
Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,196	PCT/FR02/04383	9905/23

FORM PCT/DO/EO/905 (371 Formalities Notice)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Declaration and Power of Attorney for Patent Application**Déclaration et Pouvoirs pour Demande de Brevet****French Language Declaration**

En tant que l'inventeur nommé ci-après, je déclare par le présent acte que:

Mon domicile, mon adresse postale et ma nationalité sont ceux figurant ci-dessous à côté de mon nom.

Je crois être le premier inventeur original et unique (si un seul nom est mentionné ci-dessous), ou l'un des premiers co-inventeurs originaux (si plusieurs noms sont mentionnés ci-dessous) de l'objet revendiqué, pour lequel une demande de brevet a été déposée concernant l'invention intitulée

et dont la description est fournie ci-joint à moins que la case suivante n'ait été cochée:

☐ a été déposée le _____
sous le numéro de demande des Etats-Unis ou l
numéro de demande international PCT
_____ et modifiée le
_____ (le cas échéant).

Je déclare par le présent acte avoir passé en revue et compris le contenu de la description ci-dessus, revendications comprises, telles que modifiées par toute modification dont il aura été fait référence ci-dessus.

Je reconnais devoir divulguer toute information pertinente à la brevetabilité, comme défini dans le Titre 37, § 1.56 du Code fédéral des réglementations.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Method and Zone for Sealing Between

Two Microstructure Substrates

the specification of which is attached hereto unless the following box is checked:

was filed on 06/24/2004 as United
States Application Number 10/500,196.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

French Language Declaration

Je revendique par le présent acte avoir la priorité étrangère, en vertu du Titre 35, § 119(a)-(d) ou § 365(b) du Code des Etats-Unis, sur toute demande étrangère de brevet ou certificat d'inventeur ou, en vertu du Titre 35, § 365(a) du même Code, sur toute demande internationale PCT désignant au moins un pays autre que les Etats-Unis et figurant ci-dessous et, en cochant la case, j'ai aussi indiqué ci-dessous toute demande étrangère de brevet, tout certificat d'inventeur ou toute demande internationale PCT ayant une date de dépôt précédant celle de la demande à propos de laquelle une priorité est revendiquée.

Prior foreign application(s)

Demande(s) de brevet antérieure(s)

0117015 France

(Number) (Country)
(Numéro) (Pays)

(Number) (Country)
(Numéro) (Pays)

Je revendique par le présent acte tout bénéfice, en vertu du Titre 35, § 119(e) du Code des Etats-Unis, de toute demande de brevet provisoire effectuée aux Etats-Unis et figurant ci-dessous.

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

Je revendique par le présent acte tout bénéfice, en vertu du Titre 35, § 120 du Code des Etats-Unis, de toute demande de brevet effectuée aux Etats-Unis, ou en vertu du Titre 35, § 365(c) du même Code, de toute demande internationale PCT désignant les Etats-Unis et figurant ci-dessous et, dans la mesure où l'objet de chacune des revendications de cette demande de brevet n'est pas divulgué dans la demande antérieure américaine ou internationale PCT, en vertu des dispositions du premier paragraphe du Titre 35, § 112 du Code des Etats-Unis, je reconnais devoir divulguer toute information pertinente à la brevetabilité, comme défini dans le Titre 37, § 1.56 du Code fédéral des réglementations, dont j'ai pu disposer entre la date de dépôt de la demande antérieure et la date de dépôt de la demande nationale ou internationale PCT de la présente demande:

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

(Application No.) (Filing Date)
(N° de demande) (Date de dépôt)

Je déclare par le présent acte que toute déclaration ci-incluse est, à ma connaissance, véridique et que toute déclaration formulée à partir de renseignements ou de suppositions est tenue pour véridique; et de plus, que toutes ces déclarations ont été formulées en sachant que toute fausse déclaration volontaire ou son équivalent est passible d'une amende ou d'une incarcération, ou des deux, en vertu de la Section 1001 du Titre 18 du Code des Etats-Unis, et que de telles déclarations volontairement fausses risquent de compromettre la validité de la demande de brevet ou du brevet délivré à partir de celle-ci.

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

28/December/2001
(Day/Month/Year Filed)
(Jour/Mois/Année de dépôt)

Priority Claimed
Droit de priorité revendiqué

☒

☐

(Day/Month/Year Filed)
(Jour/Mois/Année de dépôt)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Status) (patented, pending, abandoned)
(Statut) (breveté, en cours d'examen, abandonné)

(Status) (patented, pending, abandoned)
(Statut) (breveté, en cours d'examen, abandonné)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

French Language Declaration

POUVOIRS: En tant que l'inventeur cité, je désigne par la présente l'(les) avocat(s) et/ou agent(s) suivant(s) pour qu'ils poursuive(nt) la procédure de cette demande de brevet et traite(nt) toute affaire s'y rapportant avec l'Office des brevets et des marques: (mentionner le nom et le numéro d'enregistrement).

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

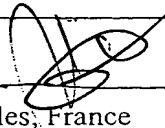
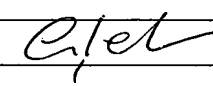
See Attachment "A"

Adresser toute correspondance à:

Jasper W. Dockrey, Esq., Reg. No. 33,868
 Send Correspondence to:

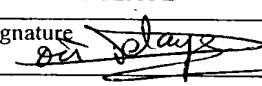
Adresser tout appel téléphonique à:
 (nom et numéro de téléphone)

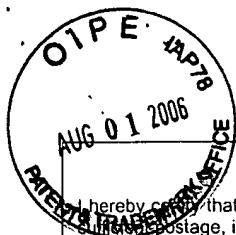
312/321-4710
 Direct Telephone Calls to:
 (name and telephone number)

Nom complet de l'unique ou premier inventeur	Full name of first inventor Bernard Diem
Signature de l'inventeur	Inventor's signature 
Date	Date 11/2/05
Domicile	Residence Echirolles, France
Nationalité	Citizenship French
Adresse postale	Post Office Address 9, allée des Troenes 38130 Echirolles, France
	Full name of second inventor Stéphane Caplet
	Inventor's signature 
	Residence Sassenage, France
	Citizenship French
	Post Office Address Le Fond du Clos 38360 Sassenage France
	Date: 24 décembre 2004

U.S. Application Serial No. 10/500,196

Attorney Docket No. 9905/23

	Full name of third joint inventor MARIE-THERÈSE DELAYE
	Inventor's signature  Date 6/1/05
	Residence Fontaine, France
	Citizenship French
	Post Office Address 2, rue Pegoud 38600 Fontaine, France



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: July 28, 2006 Name: Jasper W. Dockrey Signature: *Jasper W. Dockrey*

BRINKS
HOFFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Bernard Diem et al.

Appln. No.: 10/500,196

Filed: June 24, 2004

I.A. Filing Date: December 17, 2002

For: METHOD AND ZONE FOR SEALING BETWEEN
TWO MICROSTRUCTURE SUBSTRATES

Examiner: TBA

Art Unit: TBA

Attorney Docket No: 9905/23

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ A Transmittal Letter (in duplicate); Petition for Revival; Communication; Copy of Notification of Abandonment; Notification of Missing Requirements; Response to Notification of Missing Requirements (in duplicate); Declaration and Power of Attorney; Assignment Recordal; Assignment; Check for \$1500 (Petition for Revival); Check for \$130 (Missing Requirements); Check for \$40 (Assignment); and
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☒ Check in the amount of \$1500 (Petition for Revival); \$130 (Missing Requirements); and \$40 (Assignment) are enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

7/28/06

Jasper W. Dockrey
Jasper W. Dockrey (Reg. No. 33,868)

BRINKS HOFFER GILSON & LIONE

NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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HOFFER
GILSON
& LIONE